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**From:** Burgess, Karen [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9085A27E8D724564890F33D47C72D9D1-BURGESS, KAREN]  
**Sent:** 9/29/2019 3:35:38 AM  
**To:** Burgess, Karen [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=9085a27e8d724564890f33d47c72d9d1-Burgess, Karen]  
**Subject:** FW: Warm Springs - Engineering/Asset Management Study

Order address immediate concerns about ability to operate and maintain a system to provide safe drinking water. Asset management is the longer term tool to ensure system operability and maintenance.  
<https://www.epa.gov/dwcapacity/asset-management-resources-states-and-small-drinking-water-systems>

review order  
order show focus on coming into compliance  
  
asset management

**Karen Burgess, PE**  
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U.S. EPA Region 10 - Water Division  
  
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**From:** Baron, Adam <Baron.Adam@epa.gov>  
**Sent:** Friday, September 27, 2019 3:40 PM  
**To:** Green, Richard <Green.Richard@epa.gov>; Thurmon, Clarke <Thurmon.Clarke@epa.gov>; Contreras, Peter <Contreras.Peter@epa.gov>; Burgess, Karen <Burgess.Karen@epa.gov>; Martinson, Mathew <martinson.mathew@epa.gov>  
**Cc:** Duvil, Ricardi <duvil.ricardi@epa.gov>  
**Subject:** RE: Warm Springs - Engineering/Asset Management Study

Rick/ all –

I'll try to preload this meeting in this email, so maybe we can get farther faster.

First, here the language of the Order: "...Respondent must prepare an engineering assessment report of the System by an independent, certified, and licensed professional engineer. This report shall include engineering assessment of: 1) the Plant with special emphasis given to the coagulation process, treatment chemicals used, and sedimentation process; and 2) the state of the System's distribution system and associated valving."

The goal of this provision and much of emergency order is to ensure the system can reliably make safe water until a new treatment plant is brought on line. The assessment is meant to look at the plant and distribution and determine what is likely need of repair in the short/ medium term. Then the Tribe is required to come up with a plant based on those pieces identified as likely to fail in the short/ medium term.

The proposed asset management study, while needed, clearly goes beyond this requirement.

I've spoken with Clarke on the legal issues (he can't be there Monday) and it's basically this:

**Ex. 5 AC/DP**

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Warm Springs is entering into a contract with PDG to spend down the 650 K in grants from

HUD/ BIA already sitting on the books because they don't have the grant writers/ financial people to do it. Could PDG write its own grant to do the asset management study?

At Council Wednesday, when talking about the proposed 450K price tag from PDG after their funding source backed out, the Tribe was clearly dismayed. They talked about going back to IHS for this assessment. They also talked about such a full assessment opening up the books on more items than they wanted to necessarily have on the record/ potentially be on the hook to pay for. They asked me if EPA could help narrow the scope of the assessment. I said we could and repeated what I've written above after quoting the language in the Order.

FYI – I'll be calling in for this meeting.



**Adam Baron**

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-----Original Appointment-----

**From:** Green, Richard <[Green.Richard@epa.gov](mailto:Green.Richard@epa.gov)>

**Sent:** Thursday, September 26, 2019 12:42 PM

**To:** Baron, Adam; Thurmon, Clarke; Contreras, Peter; Burgess, Karen; Martinson, Mathew

**Subject:** Warm Springs - Engineering/Asset Management Study

**When:** Monday, September 30, 2019 2:00 PM-3:00 PM (UTC-08:00) Pacific Time (US & Canada).

**Where:** R10Sea-Room-19Columbia/R10-Rooms-Service-Center; R10Sea-ConfLineMM- Ex. 6 Personal Privacy (PP)

Conference line – Ex. 6 Personal Privacy (PP) conference code Ex. 6 Personal Privacy (PP)

Agenda:

1. What does the 1431 order require the Warm Springs Tribes to prepare? (Adam)
2. Does their proposed Engineering/Asset Management Study meet, or exceed, the requirement? (Mat)
3. Are there any legal issues with Ex. 5 AC/DP Ex. 5 AC/DP (Clarke)
4. Discussion of potential funding sources from EPA and EPA/Oregon for WST pre-project (engineering, asset management, CIP development, design) work. (Rick)